

STEVEN E. SHAPIRO (State Bar No. 120200)  
MITCHELL SILBERBERG & KNUPP LLP  
11377 West Olympic Boulevard  
Los Angeles, CA 90064-1683  
Telephone: (310) 312-2000  
Facsimile: (310) 312-3100

**FILED**

OCT 26 2005

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CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RICHARD W. WIEKIN  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Attorneys for Defendant  
Homestore, Inc., The National Association of  
Realtors and The National Association of  
Home Builders of the United States

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

KEVIN L. KEITHLEY,  
Plaintiff,  
v.  
HOMESTORE.COM, INC., et al.,  
Defendants.

Case No. C 03-4447 MJJ  
The Honorable Martin J. Jenkins  
**[PROPOSED] SCHEDULING  
ORDER**

ORIGINAL

Pursuant to this Court's direction, the parties submit the following  
schedule:

November 4, 2005	Keithley shall serve a Disclosure of Asserted Claims and Preliminary Infringement Contentions as described in NDCal Local Rule 3-1 and shall produce for inspection materials listed in NDCal Local Rule 3-2. Preliminary Infringement Contentions may be amended as described in NDCal Local Rule 3-6(a).
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1	January 13, 2006	Defendants shall serve a Preliminary Invalidity
2		Contentions as described in NDCal Local Rule 3-3 and
3		shall produce for inspection materials listed in NDCal
4		Local Rule 3-4. Preliminary Invalidity Contentions may
5		be amended as described in NDCal Local Rule 3-6(b)
6	January 24, 2006	Keithley and Defendants shall exchange Proposed
7		Terms and Claim Elements for Constructions as
8		described in NDCal Local Rule 4-1(a). The parties shall
9		meet and confer with respect to their Proposed Terms
10		and Claim Elements for Constructions as described in
11		NDCal Local Rule 4-1(b) within 10 days after the
12		exchange.
13	February 3, 2006	Keithley and Defendants shall exchange Preliminary
14		Claim Constructions and Extrinsic Evidence as
15		described in NDCal Local Rule 4-2(a) and (b). The
16		parties shall meet and confer with respect to their
17		Preliminary Claim Constructions and Extrinsic
18		Evidence as described in NDCal Local Rule 4-2(c)
19		within 10 days after the exchange.
20	March 6, 2006	Keithley and Defendants shall complete and file a Joint
21		Claim Construction and Prehearing Statement as
22		described in NDCal Local Rule 4-3.
23	April 6, 2006	Keithley and Defendants shall complete claim
24		construction depositions as described in NDCal Local
25		Rule 4-4.
26	May 22, 2006	Keithley shall file a opening brief as described in
27		NDCal Local Rule 4-5(a).
28		

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1	June 6, 2006	Defendants shall file a responsive brief as described in
2		NDCal Local Rule 4-5(b).
3	June 13, 2006	Keithley shall file a reply brief as described in NDCal
4		Local Rule 4-5(c).
* 5	JUN 28, 2006, 10:00 a.m.	Pre-Markman Hearing Conference / <i>Retained</i>
* 6	JULY 12, 2006, 10:00 AM	Markman Hearing
7	Feb. 6, 2007, 3:30 p.m.	Pretrial Conference
8	Feb. 12, 2007, 8:30 a.m.	Trial

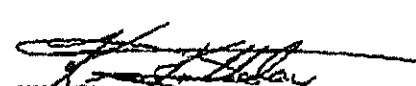
10 Dated: October 14, 2005

STEVEN E. SHAPIRO  
 MITCHELL SILBERBERG & KNUPP LLP

13 By: 

Steven E. Shapiro  
 Attorneys for Defendant Homestore,  
 Inc., The National Association of  
 Realtors and The National Association of  
 Home Builders of the United States

18 Dated: October 14, 2005

  
 KEVIN KEITHLEY, Plaintiff Pro Per

21 IT IS SO ORDERED.

23 Dated: 10/26, 2005

  
 Hon. Martin J. Jenkins  
 United States District Court Judge

27 \* New DATES. Times subject to change

**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of 18, and not a party to the within action; my business address is Mitchell Silberberg & Knupp LLP, Los Angeles, California 90064-1683.

On October 21, 2005, I served the foregoing document described as DEFENDANTS' STATUS CONFERENCE STATEMENT on the parties in this action by placing a true copy thereof enclosed in sealed envelopes addressed as follows, and taking the action described below:

Kevin L. Keithley  
325 Sharon Park Drive, Suite 512  
Menlo Park, California 94025

Fax 650-361-1880

☒ **BY PLACING FOR COLLECTION AND MAILING:** I sealed and placed the envelope(s) for collection and mailing following ordinary business practices. I am readily familiar with the firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at , Los Angeles, California 90064-1683 in the ordinary course of business.

Executed on October 21, 2005, at Los Angeles, California.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

  
Jennifer Gaines